

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

HEATH WHITT, 222052,

Plaintiff,

v.

DONALD VALENZA, *et al.*,

Defendants.

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CASE NO. 1:21-CV-707-WHA-SMD

**ORDER**

Before the court is the Magistrate Judge's Report and Recommendation filed January 18, 2022 (Doc. 5), to which no objections have been filed. Based upon an independent and *de novo* review of the Recommendation, *see* 28 U.S.C. § 636(b), it is

ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED;
2. This case is DISMISSED without prejudice;
3. No costs are taxed.

A separate Final Judgment will be entered in accordance with this order.

Done this 7th day of February, 2022.

/s/ W. Harold Albritton  
UNITED STATES DISTRICT JUDGE